

EDWIN DE LA ROSA

- against -

Plaintiff(s)

Index # 07 CV 11223 (RAKOFF)

THE CITY OF NEW YORK, ETANO

Purchased December 13, 2007

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

MICHAEL HARRIS BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on January 9, 2008 at 06:20 PM at

C/O NYPD
 34TH PRECINCT
 4295 BROADWAY
 NEW YORK, NY 10033

deponent served the within SUMMONS AND COMPLAINT on JOHNNY DIAZ therein named,

SUITABLE AGE by delivering thereat a true copy of each to SGT. ZUBER a person of suitable age and discretion. Said premises is Defendant's actual place of business within the state. He identified himself as the CO-WORKER of the Defendant.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
MALE	WHITE	BROWN	45	6'2	175

MAILING

Deponent enclosed a copy of same in a postpaid wrapper properly addressed to the Defendant at the Defendant's actual place of business at

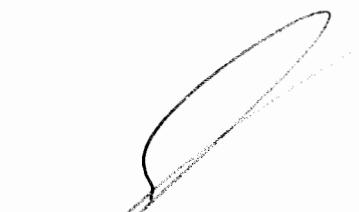
C/O NYPD
 34TH PRECINCT
 4295 BROADWAY
 NEW YORK, NY 10033

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on January 10, 2008 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served.

MILITARY SERVICE

Person spoken to was asked whether the Defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the Defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.



Sworn to me on: January 10, 2008

JOEL GRABER
 Notary Public, State of New York
 No. 02GR4699723
 Qualified in New York County
 Expires February 10, 2010

JOSEPH KNIGHT
 Notary Public, State of New York
 No. 01KN6178241
 Qualified In New York County
 Expires November 26, 2011

JONATHAN GRABER
 Notary Public, State of New York
 No. 01GR6156780
 Qualified in New York County
 Expires December 4, 2010


 MICHAEL HARRIS
 License #: 1077447
 Invoice #: 454431